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Atty. Docket No.: UCF-364

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

Applicant: SHIN-TSON WU, et al.
Serial No.: 10/625,191
Filed: 07/23/2003
For: FULL COLOR TRANSFLECTIVE CHOLESTERIC LIQUID CRYSTAL DISPLAY WITH SLANT REFLECTORS ABOVE TRANSMISSIVE PIXELS
Examiner: Thanh Nhan P. Nguyen Group: 2911 Paper No.:

ELECTION

Commissioner of Patents
And Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Honorable Commissioner:

I enclose the following papers:

1. ELECTION

Please enter the above correspondence.

Respectfully submitted

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CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being sent by first class mail addressed to the: Commissioner of Patents and Trademarks, Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

5/18/05
Date

Brian S. Steinberger
(Name of Person Sending Mail)

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ELECTION

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Sir:

In response to the Examiner's Action mailed April 19, 2005, Applicant elects to prosecute with traverse Invention I, Claims 1-10, and 18-22, drawn to a transflective cholesteric liquid crystal display device, classified in class 349, subclass 114.

Based on the restriction requirement, Applicant lists inventions readable thereon as follows:

Invention I, claims 1-10 and 18-22, drawn to a Transflective cholesteric liquid crystal display device, classified in class 349, subclass 114.

Invention II, claims 11-17, drawn to method of forming a full color Transflective cholesteric liquid crystal display, classified in class 349, subclass 114.

Applicant agrees there are separate inventions however, applicant disagrees with the restriction requirement for several reasons. The Primary Examiner finds separate inventions in the claims 1 – 22.

A policy consideration behind a restriction requirement would suggest that separate inventions exists that inherently would include separate prior art searches, examinations, examiners, etc.

The examiner has not stated that separate searches and separate examiners are necessary to examine these inventions. In fact the examiner admits both inventions are searchable and classified in the same class and subclass.

Further, multiple examinations on these inventions would be repetitive and excessive. Separate prosecution can create an unnecessary financial burden for both the Applicant and the Patent Office. If both Invention I and Invention II can be searched by the same art unit and further by the same examiner, then having different examiners conduct separate searches and examinations would create an undue time and financial burden on both the patent office and on the applicant.

Therefore, Applicant requests reconsideration and withdrawal of the restriction requirement.

However, in reference to the restriction requirement, Applicant again wishes to make their election to prosecute the invention of Invention I, claims 1-10, and 18-22 with traverse. If further restrictions are merited, please let us know to expedite the prosecution of the subject application.

Thus, for the above reasons, the restriction requirement is not proper and Applicant respectfully requests removal of the restriction requirement.

Respectfully submitted:

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Date 5/18/05